

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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MARK SOKOLOW, *et al.*,

Plaintiffs,

Docket No:

04-CV-397 (GBD) (RLE)

- against -

THE PALESTINE LIBERATION ORGANIZATION,
et al.,

Defendants.

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**LETTER OF REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE
PURSUANT TO THE HAGUE CONVENTION OF 18 MARCH 1970 ON THE
TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS**

From:

United States Magistrate Judge Ronald L. Ellis
The United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10038
United States of America

To:

The Directorate of Courts
Legal Assistance to Foreign Countries
22 Kanfei Nesharim
PO BOX 34142
Jerusalem 95464
Israel

Pursuant to Article 3 of the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters, the undersigned has the honor to submit the following request:

The United States District Court for the Southern District of New York presents its compliments to the Directorate of Courts of the State of Israel and requests assistance in obtaining evidence to be used in proceedings before this Court in the above-captioned matter.

The above-captioned matter is a civil action against the Palestine Liberation Organization (“PLO”) and the Palestinian Authority (“PA”) by a number of plaintiffs, including Dr. Alan J. Bauer and Yehonathon Bauer, who were injured in a bombing in Jerusalem on March 21, 2002. The Bauers allege that a person named Mohammed Hashaika, deceased, detonated the bomb.

The Bauer family further alleges that the PA and PLO are civilly liable for the bombing and for their injuries under 18 U.S.C. § 2331 *et. seq.* and supplemental causes of action.

The assistance requested of the State of Israel consists of the following:

To provide full and authentic copies of any: (1) correspondence between Israeli authorities and the PA relating or referring to Mohammed Hashaika; (2) documents relating or referring to any arrest of Mohammed Hashaika by the PA; (3) documents relating or referring to any investigation and/or interrogation of Mohammed Hashaika by the PA; (4) documents relating or referring to any transfer of Mohammed Hashaika by the PA; and (5) documents relating or referring to any release from custody of Mohammed Hashaika by the PA.

Pursuant to Article 10 of the Convention, in executing this Letter of Request the Israeli authorities are respectfully requested to apply the appropriate measures of compulsion in the instances and to the same extent as are provided by Israeli law for the execution of orders issued by Israeli authorities or of requests made by parties in internal proceedings.

This Court respectfully requests the assistance described above as necessary in the interests of justice.

Plaintiffs and/or their counsel, upon whose application this Letter of Request has been issued, shall pay all costs incurred in executing these requests.

This Court expresses its appreciation to the Directorate of Courts of the State of Israel for its courtesy and assistance in this matter and states that it will be ready and willing to assist the courts of Israel in a similar fashion when required.

Dated:

September 9, 2011

A handwritten signature in black ink, appearing to read "Ronald L. Ellis", written over a horizontal line.

Ronald L. Ellis
United States Magistrate Judge